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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,746	03/22/2004	Paul Joseph Chang	STEN.P0001C	4791
23419	7590	10/31/2005	EXAMINER	
COOLEY GODWARD, LLP 3000 EL CAMINO REAL 5 PALO ALTO SQUARE PALO ALTO, CA 94306			DO, ANH HONG	
			ART UNIT	PAPER NUMBER
			2627	

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/806,746	Applicant(s) CHANG ET AL.	
	Examiner ANH H. DO	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 23-32 and 35-50 is/are allowed.
- 6) ☒ Claim(s) 22,33 and 34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/26/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 22-50 have been considered but are moot in view of the new ground(s) of rejection.
2. Applicant's arguments, see Remarks (pages 2 and 3), filed 8/5/2005, with respect to claims 23-32 and 35-40 have been fully considered and are persuasive. The rejection of claims 23-32 and 35-40 has been withdrawn.

Terminal Disclaimer

3. The terminal disclaimer filed on 8/5/2005 disclaiming the terminal portion of any patent granted on this application, which would extend beyond the expiration date of prior U.S. Patent No. 6,711,297 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claim 22 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 22 recites the limitation "said source data" in line 3. There is insufficient antecedent basis for this limitation in the claim. Accordingly, the indicated allowability of this claim has been withdrawn.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 33 and 34 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 33 and 34 are drawn to a computer implemented process that merely manipulates data or an abstract idea, or merely solves a mathematical problem without a limitation to a practical application in technological arts.

In order for a claimed invention to accomplish a practical application, it must produce a "useful, concrete and tangible result" *State Street*, 149 F.3d at 1373, 47 USPQ2d at 1601-02 (see MPEP 2106.II.A). A practical application can be achieved through recitation of "a physical transformation outside the computer for which a practical application in the technological arts is either disclosed in the specification or would have been known to a skilled artisan", or "limited to a practical application within the technological arts" (MPEP 2106 IVB2(b)). Currently, claims 33 and 34 meet neither of these criteria. In order to for the claimed process to produce a "useful, concrete and tangible" result, recitation of one or more of the following elements is suggested:

- * The manipulation of data that represents a physical object or activity transformed from outside the computer (MPEP 2106 IVB2(b)(i)).
- * A recitation of a physical transformation outside the computer, for example in the form of pre or post computer processing activity (MPEP 2106 IVB2(b)(i)).
- * A direct recitation of a practical application in the technological arts (MPEP 2106 IVB2(b)(ii)).

Accordingly, the indicated allowability of claims 33 and 34 has been withdrawn.

Allowable Subject Matter

8. Claims 23-32 and 35-50 are allowed.
9. Claim 22 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
10. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 23, 35, 41, and 42, the prior art, taken either singly or in combination, does not teach:

- transforming source data... corresponding to said level.

Regarding claims 24-28 and 36-40, since these claims depend upon claims 23 and 35, respectively, they are also allowable for the same reason.

Regarding claims 29 and 31, the prior art, taken either singly or in combination, does not teach:

- server for storing source data... at a resolution corresponding to said level.

Regarding claims 30 and 32, since these claims depend upon claims 29 and 31, respectively, they are also allowable for the same reason.

Regarding claims 31, the prior art, taken either singly or in combination, does not teach:

- transforming source data... at a resolution corresponding to said level;
determining, at said client, a number of blocks... at least one block.

Regarding claim 43, the prior art, taken either singly or in combination, does not teach:

- transforming multi-component resource... corresponding to said level;
requesting, from a client to a server,... multi-component source data.

Regarding claims 44-46, since these claims depend upon claim 43, they are also allowable for the same reason.

Regarding claim 47, the prior art, taken either singly or in combination, does not teach:

- transforming multi-component source data... corresponding to said level;
requesting, from a client to a server,... multi-component source data.

Regarding claims 48-50, since these claims depend upon claim 47, they are also allowable for the same reason.

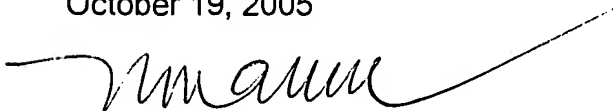
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANH H. DO whose telephone number is 571-272-7433. The examiner can normally be reached on 5/4-9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID K. MOORE can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 19, 2005



ANH HONG DO
PRIMARY EXAMINER